

**REMARKS**

The present application has been reviewed in light of the Final Office Action mailed December 12, 2007 and the Advisory Action mailed February 19, 2008. By the present amendment Applicants have cancelled claims 1-30 and added new claims 31-60. Claims 31-60 remain pending in the application. Entry of the present amendment prior to examination of the present application is respectfully requested.

Claims 1-7, 11, 13-20, 22 and 26-29 were rejected under 35 U.S.C. 103(a), as being obvious over U.S. Patent No. 3,653,389 to Shannon (hereinafter, "Shannon") in view of U.S. Patent No. 3,363,628 to Wood (hereinafter, "Wood"). According to the Examiner, Shannon discloses the invention substantially as claimed, except for the jaws defining a channel oriented substantially along a respective longitudinal axis thereof. The Examiner relies on Wood to teach the modification of the jaw member in this manner.

As noted above, by the present amendment, claims 1-30 have been cancelled. Accordingly, the rejection of claims 1-7, 11, 13-20, 22 and 26-29 under 35 U.S.C. 103(a), as being obvious over Shannon in view of Wood has been rendered moot.

Claims 1, 8, 12, 15, 17, 21, 26, 27 and 30 were rejected under 35 U.S.C. 103(a), as being obvious over U.S. Patent No. 3,140,715 to Whitton, Jr. et al. (hereinafter, "Whitton, Jr.") in view of Wood. According to the Examiner, Whitton Jr. discloses the invention substantially as claimed, except for the jaws defining a channel oriented substantially along a respective longitudinal axis thereof. The Examiner relies on Wood to teach the modification of the jaw members in this manner.

As noted above, by the present amendment, claims 1-30 have been cancelled. Accordingly, the rejection of claims 1, 8, 12, 15, 17, 21, 26, 27 and 30 under 35 U.S.C. 103(a), as being obvious over Whitton Jr. in view of Wood has been rendered moot.

Claims 1, 3, 9, 10 and 22-24 were rejected under 35 U.S.C. § 103(a), as being obvious over U.S. Patent No. 4,318,313 to Tartaglia (hereinafter, "Tartaglia") in view of Wood. According to the Examiner, Tartaglia discloses the invention substantially as claimed, except for the jaws defining a channel oriented substantially along a respective longitudinal axis thereof. The Examiner again relies on Wood to teach the modification of the jaw member in this manner.

As noted above, by the present amendment, claims 1-30 have been cancelled. Accordingly, the rejection of claims 1, 3, 9, 10 and 22-24 under 35 U.S.C. 103(a), as being obvious over Tartaglia in view of Wood has been rendered moot.

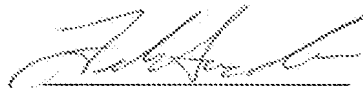
Claims 31-60 have been added by the present amendment. Applicants respectfully submit that that new claims 31-60 are supported by the specification, include no new matter and are in condition for allowance. None of the cited references, taken alone or in proper combination, disclose the surgical clip applying apparatus of claims 31-54 and 56-60, or the method of applying surgical clips of claim 55. Specifically, none of the cited references discloses a surgical clip applying apparatus including a handle portion, an elongated body portion and a jaw blade having a first and second leg and including at least one inter-leg engaging member.

In view of the foregoing amendments and remarks, Applicant respectfully submits that each of the rejections of the claims in the present Office Action has been overcome and pending claims 31-60 are believed to be in condition for allowance.

Should the Examiner believe that a telephone interview may facilitate prosecution of this application, the Examiner is respectfully requested to telephone Applicants' undersigned representative at the number indicated below.

In view of the foregoing amendments and remarks, reconsideration of the application and allowance of all pending claims is earnestly solicited.

Respectfully submitted,



Francesco Sardone  
Reg. No.: 47,918  
Attorney for Applicant(s)

***Carter, DeLuca, Farrell & Schmidt, LLP***  
445 Broad Hollow Road - Suite 225  
Melville, New York 11747  
Tel.: (631) 501-5700  
Fax: (631) 501-3526  
*FS/JJR/nr*